

REMARKS

Claims 3, 4-8, and 10-11 are pending. By this Amendment, claims 1, 2, and 4 are cancelled, claims 3, 5, 6 and 7 are amended, and new claim 11 is added.

No new matter has been added by the amendments to the claims and reconsideration and withdrawal of the rejections are respectfully requested.

35 U.S.C. § 112

Claims 1-8 and 10 were rejected under 35 U.S.C. § 112, second paragraph as indefinite, the rejection asserting that the rejected claims are unclear as to the structure of the apparatus claimed. Applicant respectfully traverses this rejection.

With the presentation of new independent claim 11, the functional relationship of the various components has been clarified in this claim.

With respect to independent claim 10, it is respectfully submitted that the functional relationship of the components is well defined by the means plus function elements of this claim. With respect to the question of how a collection chamber may surround only a portion of the center cup, it is respectfully submitted that while the most useful embodiment may be a collection chamber that entirely surround the center cup, there may be embodiments in which a portion of the perimeter of the center cup has nothing collecting the material exiting from the cup or there is a wall or other structure that returns or deflects the material exiting from the cup instead of collecting that material. Such embodiments are intended to be within the scope of the claimed invention.

35 U.S.C. § 102

Claims 1, 2, 6, 7, and 10 were rejected under 35 U.S.C. § 102 (b) as anticipated by U.S. Patent 5,643,594 (Dorian et al.). Applicant respectfully traverses this rejection.

It is respectfully submitted that the passage in Dorian et al. identified in the Office Action as teaching grooves in the center cup actually teaches away from the claimed invention. Col. 8, lines 62-67 through Col. 9, lines 1-9 describe how the center cup of Dorian et al can be provided with a “roughened or textured” inner surface. “These grooves or lines can be formed with any sharpened instrument designed for this purpose or with an abrasive material such as fine sand paper or steel wool, *by moving the instrument or abrasive material across the surface 26 in the radial direction.*” The lines, grooves or texture created by this process are intended not to singulate the fluid stream of material, but rather are intended to disperse the fluid stream of material and represent ridges, edges or texture over which that dispersed fluid stream of material must travel in order to attempt to control a thickness of the material ejected from the cup. Accordingly, the teaching of Dorian et al cannot accomplish the claim invention of either independent claims 10 or 11, and certainly does not anticipate either of those claims.

35 U.S.C. § 103

Claims 3, 4, 5, and 8 are rejected under 35 U.S.C. § 103 (c) as unpatentable over U.S. Patent 5,643,594 (Dorian et al.). Applicant respectfully traverses this rejection for the reasons set forth above, as well as for the additional limitations in these dependent claims which are not taught or suggested by Dorian et al, and for which no *prima facie* case of obviousness of those limitations has been established.

Conclusion

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'BP', with a long horizontal line extending to the right.

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